



“Keeping the Marine Corps on target” IN THE BLACK

Headquarters Marine Corps

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Guidance on Political Activity

Background

- As the 2010 mid-term elections approach, and amid national discussion about topics such as Afghanistan and Don't Ask/Don't Tell, questions often arise about the degree and the extent to which active-duty military can publically voice their views and participate in the political process.
- To ensure that Marines and Sailors are aware of their rights and obligations as citizens, the following guidance is provided to increase understanding about current statutes, regulations and policies that govern official involvement or the appearance of official involvement in partisan political activities.

Discussion

- All service members are subject to the Uniform Code of Military Justice. Although Article 88 (Contempt Toward Officials) is limited to officers, all service members should be properly respectful of the President, Members of Congress, and other elected officials.
- All active-duty service members are subject to the restrictions of DOD Directive 1344.10 (Political Activities by Members of the Armed Forces). This directive tells service members that they may, among other things, 1) express a personal opinion on political candidates and issues, but not as a representative of the Armed Forces, 2) join a partisan or nonpartisan political club and attend its meetings when not in uniform, and 3) attend partisan and nonpartisan political fundraising activities, meetings, rallies, debates, conventions, or activities as a spectator when not in uniform and when no inference or appearance of official sponsorship, approval, or endorsement can reasonably be drawn.
- However, according to DOD Directive 1344.10, all active-duty members shall not, among other things, 1) participate in partisan political fundraising activities, rallies, conventions, management of campaigns, or debates, either on one's own behalf or on that of another, without respect to uniform or inference or appearance of official sponsorship, approval, or endorsement (participation includes more than mere attendance as a spectator), 2) serve in any official capacity with or be listed as a sponsor of a partisan political club, 3) speak before a partisan political gathering, including any gathering that promotes a partisan political party, candidate, or cause, 4) participate in any radio, television, or other program or group discussion as an advocate for or against a partisan political party, candidate, or cause.
- Online social networking, blogs and the like are governed by DOD Instruction 1325.06 (Handling Dissident and Protest Activities Among Members of the Armed Forces). This Instruction tells service members that they cannot pursue personal writing for publication whether by written or by electronic means (websites, blogs, social networking sites, and other electronic communication) during duty hours. Nor can service members use government property for this purpose, on or off duty, unless for official use or authorized purposes.
- Although Instruction 1325.06 says military personnel can write when off duty, off post, and with their own money and equipment, they still can be held accountable if a publication contains language the utterance of which is punishable under federal law or otherwise in violation of this Instruction or other DOD issuances.

Key Message

Marines are encouraged to participate in the political process and to voice their views. However, Marines must be aware of the rules and regulations related to political activity that govern the conduct of all service members.

Facts & Figures

Questions concerning the scope of permissible political activities should be directed to the staff judge advocate before engaging in such activity. Additionally, Marines and Sailors can reference the following documents:

DOD Directive 1344.10 (Political Activities by Members of the Armed Forces)

DOD Instruction 1325.06 (Handling Dissident and Protest Activities Among Members of the Armed Forces)